



City of Albuquerque

Legislative File Number O-06-7 (version 2)

CITY of ALBUQUERQUE SEVENTEENTH COUNCIL

Requiring Publication of the Names, Photographs and Related Information of All Persons Convicted of or Entering a Plea of Nolo Contendere to the Offense of Driving Under the Influence of Intoxicating Liquor or Drugs (Cadigan)

CITY of ALBUQUERQUE SEVENTEENTH COUNCIL

REQUIRING PUBLICATION OF THE NAMES, PHOTOGRAPHS AND RELATED INFORMATION OF ALL PERSONS CONVICTED OF OR ENTERING A PLEA OF NOLO CONTENDERE TO THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS.

BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1. PUBLICATION OF NAMES, PHOTOGRAPHS AND RELATED INFORMATION.

The Police Department shall cause to be published on a weekly, bi-monthly or monthly basis the names and photographs of all persons convicted of or entering a plea of nolo contendere to driving under the influence of intoxicating liquor or drugs in either the Bernalillo Metropolitan or Second Judicial District Court. Publication shall be in print form in a newspaper of general circulation in the City of Albuquerque or by posting on the portion of the City of Albuquerque's web site that is accessible to the general public. Funds to carry out the purpose and intent of this subsection shall come from the proceeds of

the sale of motor vehicles seized and sold under the provisions of Article 6 of Chapter 7 ROA 1994, which funds are intended to be used for DWI enforcement, prevention and education.

Section 2. The Council shall evaluate the effectiveness of this ordinance twelve months after the publication and/or posting of names and photographs required by the ordinance begins.

Section 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

Section 4. COMPILATION. Section 1 of this ordinance shall be incorporated in and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

Section 5. EFFECTIVE DATE. This ordinance shall take effect five days after publication by title and General summary.

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